

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7910 of 2023

Arising Out of PS. Case No.-171 Year-2022 Thana- BELDOUR District- Khagaria

GAJO @ GAJO YADAV @ GAJENDRA YADAV Son of Late Upendra
Yadav Resident of village and Post - Mali, P.S.- Beldour, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-04-2023 Heard the parties.

The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 341, 323, 327, 448, 307, 379, 302, 504, 506/34 of the Indian Penal Code.

Allegedly, the co-accused persons including the petitioner went to the house of the petitioner. The petitioner directed to all the accused persons to kill the informant, thereafter all the accused persons assaulted the informant. They also committed theft from the house of the informant and threatened him not to lodge a case. The informant eventually died during the course of treatment.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. The petitioner is the order giver in the alleged occurrence so no case is made out u/s 307, 379 and 302 of IPC. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Beldour P.S. Case No.171 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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